

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

JAMES WHORTON,

Plaintiff,

v.

Case No. 2:07-cv-18
HON. R. ALLAN EDGAR

UNKNOWN BOUCHARD, et al.,

Defendants.

_____ /

ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and Recommendation of the Magistrate Judge (Docket #40) is approved and adopted as the opinion of the Court.
2. Defendants' motion to dismiss (Docket #17) and motion for summary judgment (Docket #22) are GRANTED and plaintiff's complaint is DISMISSED.
3. The Court can discern no good-faith basis for an appeal. Accordingly, an appeal of this action would not be taken in good faith.

Dated: _____ 3/17/08

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE